

SECTOR

FEE TRANSMITTAL (Large Entity)		ATTN: BOX MISSING PARTS	
		Application Number	09/469,496
		Filing Date	22 December 1999
		First Named Inventor	Baldomero M. OLIVERA
		Group Art Unit	
Examiner Name			
Total Amount of Payment	(\$) 1,270.00	Attorney Docket Number	2314-175

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Kurz

☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Charge for the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed: Check

FEE CALCULATION**1. FILING FEE**

Fee Description	Fee Code	Fee Paid
<input checked="" type="checkbox"/> Utility Filing Fee	101	760
<input type="checkbox"/> Design Filing Fee	106	310
<input type="checkbox"/> Plant Filing Fee	107	480
<input type="checkbox"/> Reissue Filing Fee	108	690
<input type="checkbox"/> Provisional Filing Fee	114	150

SUBTOTAL \$760

2. CLAIMS

	Fee from Extra	below	Fee Paid
Total Claims	- 20 =	19 x \$18	=
Independent Claims	- 3 =	3 x 78	=
Multiple Dependent Claims	+ 260		=

SUBTOTAL \$

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

	Fee Code	Fee Paid
<input checked="" type="checkbox"/> Surcharge - late filing fee or oath	105	130
<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	127	50
<input type="checkbox"/> Non-English specification	139	130
<input type="checkbox"/> For filing a request for reexamination	147	2,520
<input type="checkbox"/> Requesting publication of SIR prior to Examiner action	112	920
<input type="checkbox"/> Requesting publication of SIR after Examiner action	113	1,840*
<input type="checkbox"/> Extension for reply within first month	115	110
<input checked="" type="checkbox"/> Extension for reply within second month	116	380
<input type="checkbox"/> Extension for reply within third month	117	870
<input type="checkbox"/> Extension for reply within fourth month	118	1,360
<input type="checkbox"/> Extension for reply within fifth month	128	1,850
<input type="checkbox"/> Notice of Appeal	119	300
<input type="checkbox"/> Filing a brief in support of an appeal	120	300
<input type="checkbox"/> Request for Oral Hearing	121	260
<input type="checkbox"/> Petition to institute a public use proceeding	138	1,510
<input type="checkbox"/> Petition to revive -unavoidable	140	110
<input type="checkbox"/> Petition to revive - unintentional	141	1,210
<input type="checkbox"/> Utility issue fee (or reissue)	142	1,210
<input type="checkbox"/> Design issue fee	143	430
<input type="checkbox"/> Plant issue fee	144	580
<input type="checkbox"/> Petitions to the Commissioner	122	130
<input type="checkbox"/> Petitions related to provisional applications	123	50
<input type="checkbox"/> Submission of Information Disclosure Statement	126	240
<input type="checkbox"/> Recording each patent assignment per property (times number of properties)	581	40
<input type="checkbox"/> Filing a submission after final rejection (37 CFR .129(a))	146	690
<input type="checkbox"/> For each additional invention to be examined (37 CFR 1.129(b))	149	690

Other fee (specify)

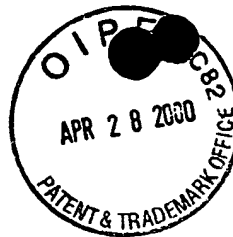
☐

* Reduced by Basic Filing Fee Paid

SUBTOTAL \$510

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957				
SIGNATURE		DATE	28 APRIL 2000	DEPOSIT ACCT USER ID	02-2135

2314-175
JLI:ch



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)
Baldomero M. OLIVERA et al.) BOX MISSING PARTS
Serial No. 09/469,496) Attention:
Filed: 22 December 1999) Applications Branch
For: CONOTOXINS I)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated 25 January 2000, response copy attached, six (6) Declaration and Power of Attorney documents identifying the above application by Serial Number and Filing Date are herewith submitted. Also attached is a check in payment of the following fees:

\$ 130.00 (surcharge under 37 C.F.R. 1.16(e))
760.00 (basic filing fee)
\$ 890.00 TOTAL FILING FEE
including 380.00 (two month extension fee)
\$1270.00 TOTAL CHECK AMOUNT

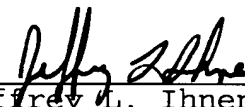
Please charge any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to Deposit Account No.02-2135. An additional copy of this letter is enclosed for that purpose.

The following documents are being submitted concurrently under separate cover:

- A *Request for Extension of Time* under 37 C.F.R. 1.136(a) (the fee amount is included in the above check).
- Two (2) *Consent of Assignee for Reissue Application* forms, executed by the assignees (University of Utah Research Foundation and Salk Institute).
- Two (2) *Statement Pursuant to 37 CFR 3.73(b)* forms, executed by the above assignees.

Respectfully submitted,

By



Jeffrey L. Ihnen
Attorney for Applicants
Registration No. 28,957
ROTHWELL, FIGG, ERNST & KURZ, p.c.
Suite 701-E, 555 13th Street, N.W.
Washington, D.C. 20004
Telephone: (202) 783-6040

Dated: 28 April 2000

2314-175
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)	
)	
Baldomero M. OLIVERA et al.)	
)	
Serial No. (to be assigned))	<u>U.S. Patent No. 5,700,778</u>
)	Issued 23 December 1997
Filed: 22 December 1999)	
)	
For: CONOTOXINS I)	

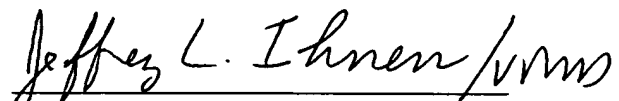
OFFER TO SURRENDER

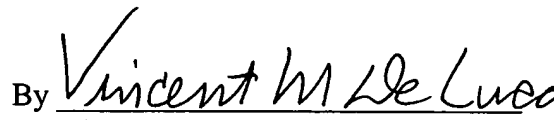
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant offers to surrender the original Patent upon an indication of allowance in the subject Reissue Application.

Respectfully submitted,


Jeffrey L. Ihnen, Registration No. 28,957
Attorney for Applicants

By 
Vincent M. DeLuca, Registration No. 32,408

ROTHWELL, FIGG, ERNST & KURZ, p.c.
Suite 701-E, 555 13th Street, N.W.
Washington, D.C. 20004
Telephone: (202)783-6040

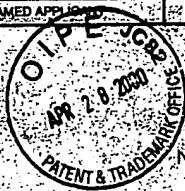
Dated: 22 December 1999
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER: 09/469,496 FILING/RECEIPT DATE: 12/22/99 FIRST NAMED APPLICANT: OLIVERA ATTORNEY DOCKET NO./TITLE: 2314-175

JEFFREY L. IHNNEN
ROTHWELL FIGG ERNST & KURZ PC
555 13TH STREET NW
SUITE 701 EAST
WASHINGTON DC 20004



NOT ASSIGNED

DATE MAILED: 01/25/00

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.18(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this **NOTICE** to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 890

- ☒ 1. The statutory basic filing fee is:
☐ missing
☒ insufficient
Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☒ 2. The following additional claims fees are due:

\$ _____ for total claims over 20
\$ _____ for independent claims over 3
\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
☐ is missing or unsigned.
☐ does not cover the newly submitted items.
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application was filed in a language other than English.
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- ☐ 9. OTHER _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts"

A copy of this notice MUST be returned with the reply

Customer Service Center
Initial Patent Examination Division (703) 305-1202

FORM PTO-1533 (REV. 9/98)

U.S. GPO 1999 450-5873

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY

2314-175
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

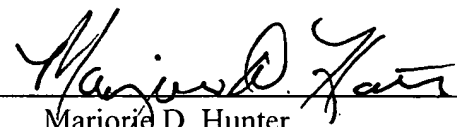
In re Reissue Application of)
Baldomero M. OLIVERA et al.)
Serial No.: 09/469,496) Patent No. 5, 700,778
Filed: 22 December 1999) Issued 23 December 1999
For: CONOTOXINS I)

STATEMENT PURSUANT TO 37 CFR 3.73(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

University of Utah Research Foundation, through its undersigned authorized signatory, represents that it is the assignee of the entire interest in the above-identified application with respect to the rights of coinventors Baldomero M. Olivera, Lourdes J. Cruz, Chris E. Hopkins and Fe Abogadie, and that an assignment from these coinventors to the University of Utah was recorded at Reel 6820, Frames 0763-0766 and that an assignment to University of Utah Research Foundation from the University of Utah was recorded at Reel 6924, Frames 0382-0384. These assignments have been reviewed by the undersigned authorized signatory of University of Utah Research Foundation, who certifies that, to the best of the assignee's knowledge and belief, title is in University of Utah Research Foundation.

By: 
Marjorie D. Hunter
Senior Licensing Manager, Technology Transfer Office

2314-175
JLI:ch



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

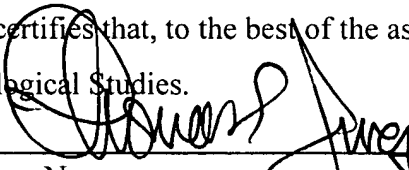
In re Reissue Application of)
Baldomero M. OLIVERA et al.)
Serial No.: 09/469,496) Patent No. 5, 700,778
Filed: 22 December 1999) Issued 23 December 1999
For: CONOTOXINS I)

STATEMENT PURSUANT TO 37 CFR 3.73(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The Salk Institute for Biological Studies, through its undersigned authorized signatory, represents that it is the assignee of the entire interest in the above-identified patent with respect to the rights of coinventors Jean E.F. Rivier, John, Dykert and Josep L. Torres , and that an assignment from these coinventors to the Salk Institute for Biological Studies was recorded at Reel No. _____, Frames _____. The assignment has been reviewed by the undersigned authorized signatory of the Salk Institute for Biological Studies, who certifies that, to the best of the assignee's knowledge and belief, title is in the Salk Institute for Biological Studies.

By: 
Name: Thomas F. Jurgensen
Title: Vice President Intellectual Property and
Technology Transfer